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Approved for use through 09/30/2000. OMB 0651-0031  
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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## TRANSMITTAL FORM

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		Application Number	09/886,942
		Filing Date	June 21, 2001
		First Named Inventor	Juha Punnonen
		Group Art Unit	Unassigned
		Examiner Name	Unassigned
Total Number of Pages in This Submission		Attorney Docket Number	02-031910US

### ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Assignment Papers (for an Application)	<input type="checkbox"/> After Allowance Communication to Group
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment / Response	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Receipt Acknowledgment postcard
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<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> Request for Refund	<input type="checkbox"/> Cited References
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application	Authorization to Charge Deposit Account	
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	Please charge Deposit Account No. 50-0893 for any additional fees associated with this paper or during the pendency of this application, including any extensions of time for consideration of the documents enclosed.	
Remarks		

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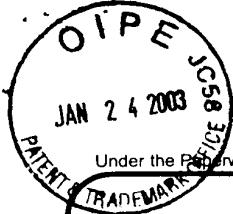
Firm or Individual name	Jonathan Alan Quine Reg. No. 41261, The Law Offices of Jonathan Alan Quine
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PTO/SB/21 (08-00)

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## TRANSMITTAL FORM

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Total Number of Pages in This Submission	09/886,942
	Filing Date June 21, 2001
	First Named Inventor Juha Punnonen, et al
	Group Art Unit 1636
	Examiner Name Gerald G. Leffers, Jr.
	Attorney Docket Number 0179.210US

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### ENCLOSURES (check all that apply)

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- Express Abandonment Request
- Information Disclosure Statement
- Certified Copy of Priority Document(s)
- Response to Missing Parts/ Incomplete Application
  - Response to Missing Parts under 37 CFR 1.52 or 1.53

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- Drawing(s)
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- After Allowance Communication to Group
- Appeal Communication to Board of Appeals and Interferences
- Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)
- Proprietary Information
- Status Letter
- Other Enclosure(s) (please identify below):

Transmittal Form, Communication Regarding Previously Submitted Information Disclosure Statement and Copies of References Cited Therein; Copy of Transmittal Form for IDS as filed on November 6, 2001; Copy of Information Disclosure Statement as filed on November 6, 2001; Copy of PTO/SB/O8A-B as filed on November 6, 2001 citing References AA-ED; Copy of Return Postcard Date-Stamped by the USPTO; References AA-ED; Return Postcard

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Firm or Individual name	Margaret A. Powers, Reg. No. 39,804
Signature	
Date	January 15, 2003

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On November 6, 2001

The Law Offices of Jonathan Alan Quine

By Amelia Groth

Attorney Docket No. 02-031910US  
Client Ref. No. 0179.210US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Juha Punnonen, *et al.*

Application No.: 09/886,942

Filed: June 21, 2001

For: NOVEL CHIMERIC PROMOTERS

Examiner: Unassigned

Art Unit: Unassigned

INFORMATION DISCLOSURE  
STATEMENT UNDER 37 CFR § 1.97 and  
§ 1.98

Assistant Commissioner for Patents  
Washington , D.C. 20231

Sir:

The references cited on attached form PTO-1449 are being called to the attention of the Examiner. Copies of the references are enclosed. It is respectfully requested that the cited information be expressly considered during the prosecution of this application, and the references be made of record therein and appear among the "references cited" on any patent to issue therefrom.

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Application No.: 09/886,942  
Page 2

As provided for by 37 CFR 1.97(g) and (h), no inference should be made that the information and references cited are prior art merely because they are in this statement and no representation is being made that a search has been conducted or that this statement encompasses all the possible relevant information.

Applicant believes that no fee is required for submission of this statement, since it is being submitted prior to the first Office Action. However, if a fee is required, the Commissioner is authorized to deduct such fee from the undersigned's Deposit Account No. 50-0893. Please deduct any additional fees from, or credit any overpayment to, the above-noted Deposit Account.

Respectfully submitted,



Jonathan Alan Quine  
Reg. No. 41,261

THE LAW OFFICES OF JONATHAN ALAN QUINE  
P.O. Box 458  
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Fax: (510) 337-7877

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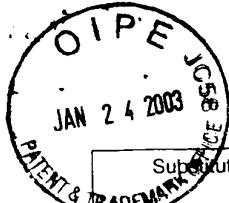
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INFORMATION DISCLOSURE STATEMENT BY APPLICANT		Application Number	09/886,942
(use as many sheets as necessary)		Filing Date	June 21, 2001
		First Named Inventor	Juha Punnonen
		Group Art Unit	Unassigned
		Examiner Name	Unassigned
		Attorney Docket Number	02-031910US

U.S. PATENT DOCUMENTS				
Examiner Initials	Cite No.	U.S. Patent Document Number	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Kind Code (if known)		Pages, Columns, lines, Where Relevant Passages or Relevant Figures Appeal
	AA	5,512,463	Stemmer	04-30-1996
	AB	5,514,588	Varadaraj	05-07-1996
	AC	5,605,793	Stemmer	02-25-1997
	AD	5,763,239	Short et al.	06-09-1998
	AE	5,789,228	Lam et al.	08-04-1998
	AF	5,811,238	Stemmer et al.	09-22-1998
	AG	5,814,473	Warren et al.	09-29-1998
	AH	5,824,469	Horwitz et al.	10-20-1998
	AI	5,830,696	Short	11-03-1998
	AJ	5,830,721	Stemmer et al.	11-03-1998
	AK	5,834,252	Stemmer et al.	11-10-1998
	AL	5,837,458	Minushull et al.	11-17-1998
	AM	5,866,363	Pieczenik	02-02-1999
	AN	5,876,997	Kretz	03-02-1999
	AO	5,925,749	Mathur, et al.	07-20-1999
	AP	5,928,905	Stemmer, et al.	07-27-1999
	AQ	5,939,250	Short, Jay M.	08-17-1999
	AR	5,939,300	Robertson, et al.	08-17-1999
	AS	5,942,430	Robertson, et al.	08-24-1999
	AT	5,948,666	Callen, et al.	09-07-1999
	AU	5,958,672	Short, Jay M.	09-28-1999
	AV	5,958,751	Murphy, et al.	09-28-1999
	AW	5,962,258	Mathur, et al.	10-05-1999
	AX	5,962,283	Warren et al.	10-05-1999
	AY	5,965,408	Short, Jay M.	10-12-1999
	AZ	5,985,646	Murphy, et al.	11-16-1999
	BA	6,001,574	Short et al.	12-14-1999
Examiner Signature			Date Considered	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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Substitute for form 1449A-B/PTO <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(use as many sheets as necessary)</i>		Complete if Known		
		Application Number	09/886,942	
		Filing Date	June 21, 2001	
		First Named Inventor	Juha Punnonen	
		Group Art Unit	Unassigned	
		Examiner Name	Unassigned	
		Attorney Docket Number	02-031910US	

	BB	6,004,788		Short	12-21-1999	
	BC	6,030,779		Short	02-29-2000	
	BD	6,054,267		Short	04-25-2000	
	BE	6,057,103		Short	05-02-2000	
	BF	6,096,548		Stemmer	08-01-2000	
	BG	6,117,679		Stemmer	09-12-2000	
	BH	6,132,970		Stemmer	10-17-2000	
	BI	6,165,793		Stemmer	12-26-2000	
	BJ	6,168,919		Short	01-02-2001	
	BK	6,171,820		Short	01-09-2001	
	BL	6,174,673		Short, et al.	01-16-2001	
	BM	6,180,406		Stemmer	01-30-2001	
	BN	6,238,884		Short et al.	05-29-2001	

FOREIGN PATENT DOCUMENTS								
Examiner Initials	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T
		Office	Number	Kind Code (if known)				
BO	WO	97/07205		Novo Nordisk A/S	02-27-1997			
BP	WO	97/20078		Affymax Technologies	06-05-1997			
BQ	WO	97/25410		Novo Nordisk A/S	07-17-1997			
BR	WO	97/35957		Maxygen, Inc.	10-02-1997			
BS	WO	97/35966		Maxygen, Inc.	10-02-1997			
BT	WO	97/44361		Recombinant Biocatalysis Inc.	11-27-1997			
BU	WO	97/48416		Recombinant Biocatalysis, Inc.	12-24-1997			
BV	WO	97/48717		Recombinant Biocatalysis Inc	12-24-1997			
BW	WO	97/48794		Recombinant Biocatalysis Inc	12-24-1997			
BX	WO	98/00526		Recombinant	01-08-1998			
Examiner Signature					Date Considered			

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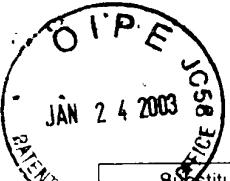
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		Examiner Name	Unassigned
		Attorney Docket Number	02-031910US

				Biocatalysis Inc			
	BY	WO	98/01581	Recombinant Biocatalysis Inc	01-15-1998		
	BZ	WO	98/13485	Maxygen, Inc.	04-02-1998		
	CA	WO	98/13487	Maxygen, Inc.	04-02-1998		
	CB	WO	98/24799	Diversa Corp.	06-11-1998		
	CC	WO	98/27230	Maxygen, Inc.	06-25-1998		
	CD	WO	98/28416	Novo Nordisk A/S	07-02-1998		
	CE	WO	98/31837	Maxygen, Inc.	07-23-1998		
	CF	WO	98/36080	The Dow Chemical Company	08-20-1998		
	CG	WO	98/41622	Novo Nordisk A/S	09-24-1998		
	CH	WO	98/41623	Novo Nordisk A/S	09-24-1998		
	CI	WO	98/41653	Novo Nordisk A/S	09-24-1998		
	CJ	WO	98/42832	California Institute of Technology	10-01-1998		
	CK	WO	98/48034	Diversa Corp.	10-29-1998		
	CL	WO	98/58085	Diversa Corp.	12-23-1998		
	CM	WO	99/07837	Diversa Corp.	02-19-1999		
	CN	WO	99/08539	Diversa Corp.	02-25-1999		
	CO	WO	99/10472	Diversa Corp.	03-04-1999		
	CP	WO	99/10539	Diversa Corp.	03-04-1999		
	CQ	WO	99/19518	Diversa Corp.	04-22-1999		
	CR	EP	0911396A2	Maxygen, Inc.	04-28-1999		
	CS	WO	99/21979	Maxygen, Inc.	05-06-1999		
	CT	EP	0911396A3	Maxygen, Inc.	05-06-1999		
	CU	WO	99/23107	Maxygen, Inc.	05-14-1999		
	CV	WO	99/23236	Diversa Corp.	05-14-1999		
	CW	WO	99/29902	California Institute of Technology et al.	06-17-1999		

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	CX	EP	0934999A1		Maxygen, Inc.	08-11-1999	
	CY	WO	99/41368		Maxygen, Inc.	08-19-1999	
	CZ	WO	99/41369		Maxygen, Inc.	08-19-1999	
	DA	WO	99/41383		Maxygen, Inc.	08-19-1999	
	DB	WO	99/41402		Maxygen, Inc.	08-19-1999	
	DC	WO	99/45154		Diversa Corp.	09-10-1999	
	DD	WO	99/57128		Maxygen, Inc.	11-11-1999	
	DE	WO	99/65927		Maxygen, Inc.	12-23-1999	
	DF	WO	00/42560		Maxygen, Inc.	07-20-2000	
	DG	WO	00/42561		Maxygen, Inc.	07-20-2000	
	DH	WO	00/53744		Diversa Corporation	09-14-2000	
	DI	WO	00/58517		Diversa Corporation	10-05-2000	

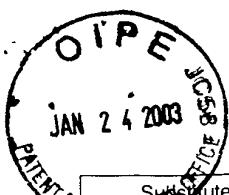
#### OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Examiner Initials	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T
	DJ	Chang, C., et al. (1999) "Evolution of a cytokine using DNA family shuffling." <u>Nature Biotechnology</u> 17:793-797.	
	DK	Christians, F.C. et al., (1999) "Directed evolution of thymidine kinase for AZT phosphorylation using DNA family shuffling." <u>Nature Biotechnology</u> 17:259-264.	
	DL	Coco et al., (2001) "DNA shuffling method for generating highly recombinant genes and evolved enzymes" <u>Nature Biotechnology</u> vol. 19 pp. 354-359	
	DM	Crameri et al., (1993) "10(20)-Fold aptamer library amplification without gel purification," <u>Nuc. Acids Res.</u> 21(18):4410.	
	DN	Crameri, A. & Stemmer W.P.C. (1995) "Combinatorial multiple cassette mutagenesis creates all the permutations of mutant and wildtype cassettes." <u>Biotechniques</u> 18:194-195.	
	DO	Crameri, A. et al. (1996) "Improved green fluorescent protein by molecular evolution using DNA shuffling." <u>Nature Biotechnology</u> 14:315-319.	
	DP	Crameri, A. et al. (1996) "Construction and evolution of antibody-phage libraries by DNA shuffling." <u>Nature Medicine</u> 2:100-103.	
	DQ	Crameri, A. et al., (1997) "Molecular evolution of an arsenate detoxification pathway by DNA shuffling." <u>Nature Biotechnology</u> 15:436-438	

Examiner Signature	Date Considered
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DR	Crameri, A. et al., (1998) "DNA shuffling of a family of genes from diverse species accelerates directed evolution." <i>Nature</i> 391:288-291.
DS	Gates, C.M. et al., (1996) "Affinity selective isolation of ligands from peptide libraries through display on a lac repressor 'headpiece dimer'. <i>Journal of Molecular Biology</i> 255:373-386.
DT	Minshull, J., Stemmer, W.P.C. (1999) "Protein evolution by molecular breeding." <i>Current Opinion in Chemical Biology</i> 3:284-290.
DU	Ness, J. et al., (1999) "DNA shuffling of subgenomic sequences of subtilisin." <i>Nature Biotechnology</i> 17:893-896.
DV	Patten, P.A. et al., (1997) "Application of DNA Shuffling to Pharmaceuticals and Vaccines." <i>Current Opinion in Biotechnology</i> 8:724-733.
DW	Pelletier, Joelle N., (2001) "A Rachitt for our toolbox" <i>Nature Biotechnology</i> vol. 19, p. 314-315
DX	Stemmer, W.P.C. (1994) "DNA Shuffling by random fragmentation and reassembly: In vitro recombination for molecular evolution." <i>PNAS</i> 91:10751
DY	Stemmer, W.P.C. (1994) "Rapid evolution of a protein in vitro by DNA shuffling." <i>Nature</i> 370:389-391.
DZ	Stemmer, W.P.C. (1995) "The Evolution of Molecular Computation." <i>Science</i> 270:1510
EA	Stemmer, W.P.C. (1995) "Searching Sequence Space." <i>Bio/Technology</i> 13:549-553.
EB	Stemmer, W.P.C. (1996) "Sexual PCR and Assembly PCR." In: <i>The Encyclopedia of Molecular Biology</i> . VCH Publishers, New York. pp. 447-457.
EC	Stemmer, W.P.C. & Soong, N.W. (1999) "Molecular breeding of viruses for targeting and other clinical properties." <i>Tumor Targeting</i> 4:59-62.
ED	Zhang, J. et al., (1997) "Directed evolution of an effective fucosidase from a galactosidase by DNA shuffling and screening." <i>Proceedings of the National Academy of Sciences, USA</i> 94:4504-4509.

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